

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ARDEANA Q. ELLIS,

Plaintiff,

v.

SMITHKLINE BEECHAM CORP., dba
GLAXOSMITHKLINE,

Defendant.

Case No. C07-5302RJB

ORDER DENYING MOTION TO
QUASH SUBPOENA BY NON-
PARTY MOVANT

This matter comes before the Court on the Motion to Quash Subpoena by Non-Party Movant Pursuant to FRCP 45(c)(2)(B) and 45(c)(3)(A). Dkt. 73. The Court has considered the pleadings filed in support of and in opposition to the motion and the remainder of the file herein.

On April 29, 2008, Dr. Antione D. Johnson, a non-party to this action, filed a Motion to Quash Subpoena. Dkt. 73. Dr. Johnson moved the Court to quash a subpoena from Defendant requesting that Dr. Johnson produce Plaintiff Ardeana Q. Ellis' medical records. Dkt. 73 at 2.

On May 13, 2008, Defendant filed a response. Dkt. 78. Defendant no longer seeks to enforce that subpoena and asks that the Court deny the motion to quash as moot. Dkt. 78 at 2.

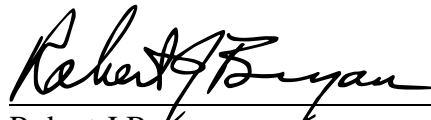
Therefore, it is hereby

ORDERED that the Motion to Quash Subpoena by Non-Party Movant Pursuant to FRCP 45(c)(2)(B) and 45(c)(3)(A) (Dkt. 73) is **DENIED** as moot.

ORDER - 1

1 The Clerk is directed to send uncertified copies of this Order to all counsel of record, to any
2 party appearing *pro se* at said party's last known address, and to the non-party movant.

3 DATED this 15th day of May, 2008.
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7 Robert J Bryan
8 United States District Judge
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